



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: William E. James Examiner: Tam Nguyen
Application No: 09/674,996 Art Unit: 3764
Filing Date: 11/02/2000 Confirmation No: 1327

Title: Automatically Variable Stride
Walk-Run-Stepper Pedal Exerciser

AMENDMENT

with Request for Continued Examination

Mail Stop: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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MAY 04 2004

TECHNOLOGY CENTER 3700

Dear Sir:

This amendment is in response to the Advisory Action dated 04/20/2004 and corrects as required the response of 02/26/2004 to Office Action dated Dec. 01, 2003. Please enter the following amendments:

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spring assembly 106 interacts only with downward force or the user's weight on the pedals and has no interaction with forward motion of the pedals. There are no external energy sources applied to returning the pedals in Rawls. The pedals are always returned by the user's feet which are necessarily always essentially equally weighted on the pedals and are pushed back and forth to accomplish the "striding" motion. Claim 36, cushion means integral with the pedals (Action, Par. 6), describes an additional variant of applicant's invention as defined in claim 22 wherein step-down is a continuing action as on a treadmill where improved cushioning is important. The independent claims all further define variations of applicant's invention as outlined in claim 22, adding to the possible means by which such a pedal device may operate effectively in competition with treadmills as a true walking, running exercise machine in a way unanticipated in the prior art.

Conclusion

Applicant submits that the claims define over the prior art per Section 102 and meet the requirements of Section 103 as fully discussed, with apologies for the lengthy response, and respectfully requests reconsideration including reexamination of the non-elected species.

Respectfully submitted,


Apr. 28, 04
William E. James (Applicant)

Enclosures: Amendments to Abstract

Amendments to Specification

Amendments to Claims